

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

FIRST SESSION

LEGISLATIVE BILL 643

Introduced by Schilz, 47.

Read first time January 21, 2009

Committee: Natural Resources

A BILL

1 FOR AN ACT relating to electric lines; to amend section 70-311,
2 Reissue Revised Statutes of Nebraska; to extend the
3 distance and time requirements relating to notice of
4 certain road construction; to provide notice requirements
5 for natural resource districts for certain road
6 construction; and to repeal the original section.
7 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 70-311, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 70-311 (1) Whenever any county or township road
4 construction, widening, repair, or grading project or any road
5 ditch improvement project requires, or can reasonably be expected
6 to require, the performance of any work within ~~six~~ ten feet of
7 any electric transmission or electric distribution line, poles, or
8 anchors, notice to the owner of such line, poles, or anchors shall
9 be given by the respective county or township officers in charge
10 of such projects. Such notice shall be given at least ~~thirty one~~ one
11 hundred eighty days prior to the start of any work when, because
12 of road construction, widening, repair, or grading or road ditch
13 improvement project, or for any other reason, it is necessary
14 to relocate such line, poles, or anchors or if such work will
15 compromise the structural integrity of the line, poles, or anchors.
16 If the line, poles, or anchors to be moved are within an area that
17 will require Federal Aviation Administration approval, notice shall
18 be given at least one year prior to the start of any work.

19 (2) If a natural resources district will be altering a
20 road structure or grading or moving earth for a flood control,
21 recreation, or other project that requires, or can reasonably be
22 expected to require, the performance of any work within ten feet of
23 any electric transmission or electric distribution line, poles, or
24 anchors, notice to the owner of such line, poles, or anchors shall
25 be given by the respective natural resources district in charge

1 of such projects. Such notice shall be given at least one hundred
2 eighty days prior to the start of any work when, because of such
3 road structure alteration or grading or moving earth, or for any
4 other reason, it is necessary to relocate such line, poles, or
5 anchors or if such work will compromise the structural integrity
6 of the line, poles, or anchors. If the line, poles, or anchors
7 to be moved are within an area that will require Federal Aviation
8 Administration approval, notice shall be given at least one year
9 prior to the start of any work.

10 Sec. 2. Original section 70-311, Reissue Revised Statutes
11 of Nebraska, is repealed.